

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
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UNITED STATES OF AMERICA	:	Hon. Esther Salas
	:	
v.	:	
	:	Crim. No. 19-cr-821-ES
FRANK MICHAEL MONTE	:	

EMERGENCY
MOTION FOR PRE-TRIAL RELEASE

Comes now, the defendant, *Frank Michael Monte*, pro se, in propria persona, *sui juris*, and moves the Honorable Court to be released on his own personal recognizance pending trial. Said request is made in good faith and pursuant to: Title 18 U.S.C. § 3142 (b), the authority enumerated in the United States Constitution – the Eighth Amendment which guarantees, *excessive bail shall not be required*.

The defendant provides that there is no risk factor regarding safety of any person(s) in the community; and the appearance of person for future court hearings is secured, as required, where defendant is from New Jersey with strong ties thereof.

“Unequivocally, the defendant is not a flight risk”

Moreover, the weight of the evidence (conjecture) that secured the indictment in the above styled cause falls short of being substantial in nature and is based on hearsay; does not meet the requirement to deny defendant to be released on his own personal recognizance pending trial, pursuant to: Title 18 U.S.C. § 3142 (g).

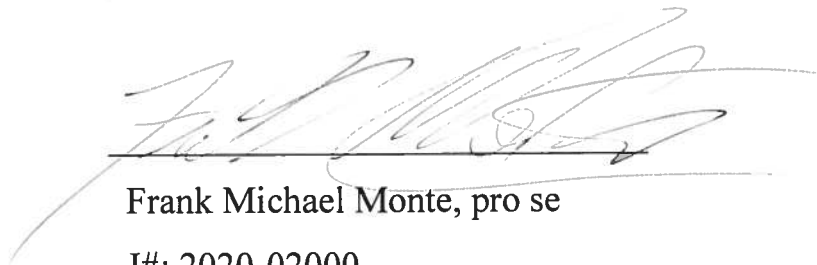
Where defendant, expressly waives his right to counsel (*Mr. Harley Breite, Esq.*) and elects to proceed pro se; who has ultimately been returned from a court ordered competency evaluation; *“where the report clearly states and finds defendant fit to proceed with Any and All legal proceedings.”*

All other grounds to be argued *Ore Tenus*.

WHEREFORE, the defendant, pro se, supra, respectfully requests the Honorable Court hand down an order and grant the defendant's EMERGENCY MOTION FOR PRE-TRIAL RELEASE without any further action or delay; said order shall serve in the interest and furtherance of justice.

I affirm under penalty of perjury that the aforementioned statements were composed by Frank Michael Monte, on the 24th day of February, 2020, an inmate at the Essex County Jail, and are true and correct.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Frank Michael Monte', is written over a horizontal line.

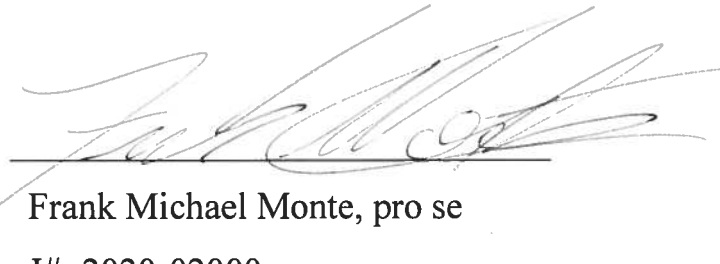
Frank Michael Monte, pro se

J#: 2020-02000
Essex County Jail
354 Doremus Avenue
Newark, NJ 07105

CERTIFICATE OF SERVICE

The defendant, *Frank Michael Monte*, pro se, an inmate at the Essex County Jail, affirms under penalty of perjury that on the 24th day of February, 2020, a true and correct copy of EMERGENCY MOTION FOR PRE-TRIAL RELEASE was served upon by first class mail, to:

- Andrew M. Trombly – Assistant U.S. Attorney
- Harley Breite, Esq. – Attorney of Record
- Clerk of the Court – U.S. District Court, district of New Jersey

A handwritten signature in black ink, appearing to read "Frank Michael Monte", is written over a horizontal line.

Frank Michael Monte, pro se

J#: 2020-02000
Essex County Jail
354 Doremus Avenue
Newark, NJ 07105

FRANK M. MONTE
~~Essex County Jail~~
J# 2020-02doo
354 DOREMUS AVE.
NEWARK, NJ 07105

LEGAL
MAIL

CLERK OF THE COURT
MILK JR. COURTHOUSE
50 WALLING STREET
NEWARK, NJ 07101

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